

JAVA Resolution 05-0113-03



1 **WHEREAS**, the Joint Antelope Valley Authority (JAVA), a joint administrative entity created under
2 the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. § 13-801 et. seq.) by agreement of April 15, 2000 as
3 amended (JAVA Interlocal Agreement) between the Board of Regents of the University of Nebraska, a public
4 body corporate and governing body of the University of Nebraska (University), the City of Lincoln, Nebraska, a
5 municipal corporation (City), and the Lower Platte South Natural Resources District, a political Subdivision of the
6 State of Nebraska (LPSNRD) is now implementing under the JAVA Interlocal Agreement the Phase One Priority
7 Projects of Antelope Valley Amended Draft Single Package; and

8 **WHEREAS**, JAVA has previously approved by-laws, administrative resolution, policies and
9 guidelines for the implementation of the Phase One Priority Projects.

10 **NOW THEREFORE**, be it resolved by the Administrative Board of the Joint Antelope Valley Authority
11 as follows:

- 12 1. The attached **Administrative Resolution Amendment 2** to JAVA Resolution 02-051501 adopted May 15,
13 2002 (including any subsequent amendments thereto) is hereby adopted relating to the implementation of
14 the Phase One Priority Projects and the associated changes to the JAVA Construction Documents are
15 hereby approved on behalf of JAVA without further action of the JAVA board or chairperson.
- 16 2. The same shall be effective January 13, 2005 and shall be kept on file with the official records of the
17 Authority as provided in the by-laws and shall supercede and replace by revision only the amended
18 provisions as supplemented and modified leaving the remaining portions of the Administrative Resolution
19 (including any subsequent amendments thereto) in full force and effect.

Dated this 13th Day of January, 2005.

Introduced by: _____

Approved by Unanimous Vote of _____, _____, and _____ after public
hearing on this 13th Day of January 2005.

Signed:

Joint Antelope Valley Authority

Secretary

Glenn Johnson, Chairperson

Approved as to form and Legality

Legal Counsel

Administrative Resolution Amendment 2
to JAVA Resolution 02-051501

New Paragraph 1.44-1

Former Textron Parcel shall mean the real property to be transferred to JAVA and legally described in the attached "Former Textron Parcel Legal Description."

Amend Paragraph 1.128 to read as follows:

University/JAVA Tract shall mean the real property presently owned by the University and to be transferred to JAVA and legally described in Attachment "B" of the JAVA Interlocal Agreement. In addition, effective upon the approval of the University and unless the context requires otherwise, the University/JAVA Tract shall also include the Former Textron Parcel.

Insert new Paragraph 3.11.3 in Section 3 "JAVA Responsibilities"

3.11.3 JAVA will coordinate with the COE to include the Former Textron Parcel needed for construction for Phase II of the waterway as part of the related COE construction documents or as part of the JAVA Construction Documents. JAVA will make a payment to the University in the amount of \$ 87,290.00 for the acquisition of the same. To the extent practicable, the transfer of the same shall be subject to the Transfer of Property provisions of the JAVA Interlocal Agreement as applied to the University/JAVA Tract and may be accomplished by separate agreement if the University so requires. The Chairperson shall be authorized to execute such agreement on behalf of JAVA upon approval of JAVA's legal counsel for conformance with this Administrative Resolution. The costs associated with the University's requested change approved in Administrative Resolution Amendment 1 (not to exceed \$35,375.00) shall be deducted from the payment due the University for the Former Textron Parcel.